

# REFLECTIONS

ON THE

## A F F A I R S

OF THE

## DISSIDENTS

IN

*P O L A N D.*

*by S<sup>r</sup>. geo. macartney esq;*

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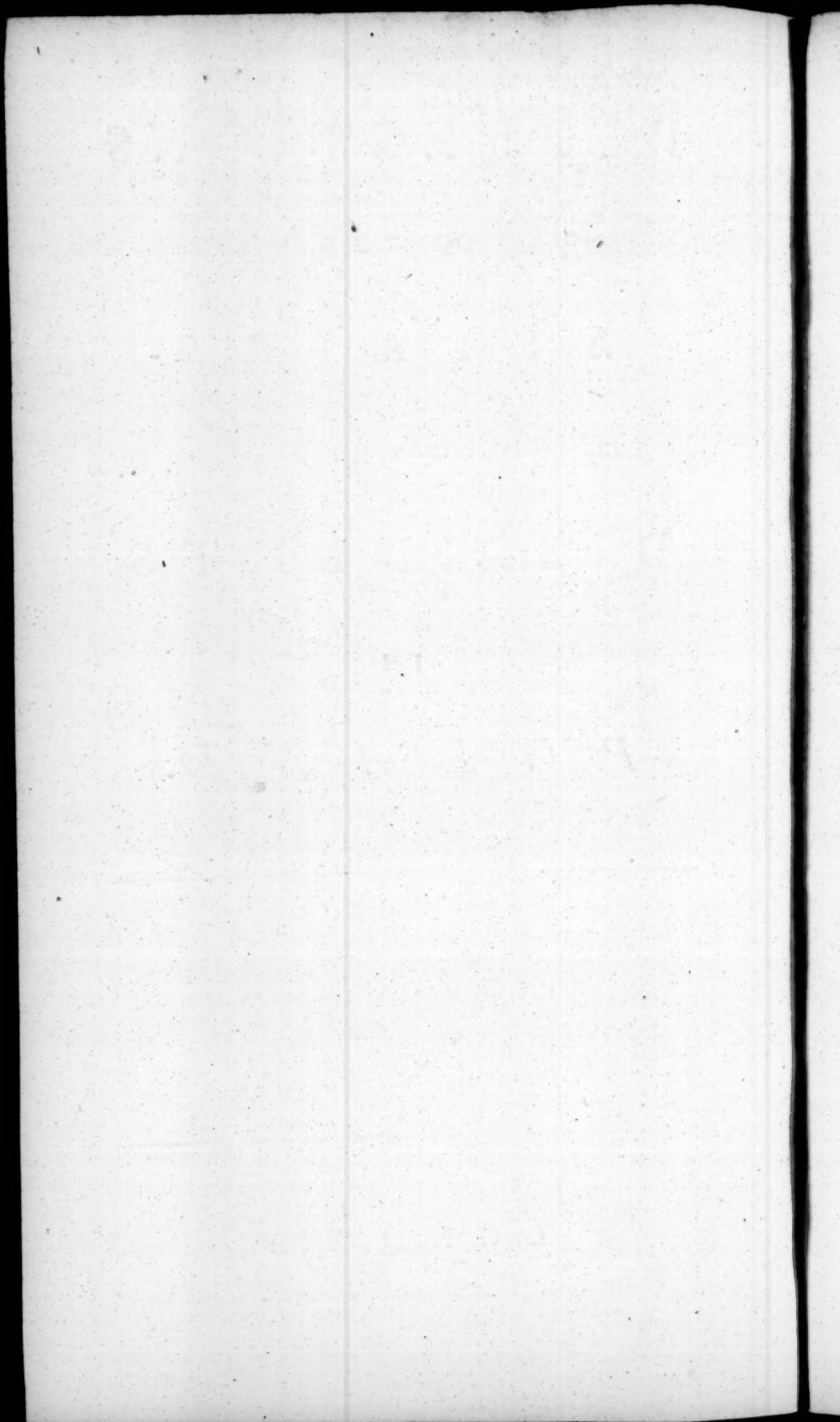


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# REFLECTIONS

## ON THE

### AFFAIRS of the DISSIDENTS in *POLAND.*

**I**T would argue a Person to be very little acquainted with the History of Poland, to affirm, as some do at present, that we ought to confine the Æra of the greatest Power of the Poles, their numerous Victories won, and Provinces conquered, to that Period in which the Catholic Religion alone was exercised in their Country.

This Period must be reckoned from the 11th to the 14th Century. Boleslas II. that warlike Hero of the 11th Century, placed indeed a King on the Throne of Bohemia, and on that of Hungary, and likewise appointed a Duke of Silesia; but, like his Cotemporary the Emperor Henry IV. he was crushed by the Power of the Clergy; and both the Prosperity and Glory of Poland seemed to be buried with him. Not to mention the Tartars, who had well-nigh extirpated the whole Nation in three different Attacks;

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we find that in the 12th Century they lost both Silesia and Pomerania, without being able during that Interval to make the least Conquest by way of Compensation. On the contrary, the most inconsiderable neighbouring States did not suffer them to enjoy a Moment's Tranquillity.

The Prussians, Pomeranians, and Silesians all waged war against Poland, and for the most part with Success. Casimir at length began to signalize himself. He acquired the Appellation of The Great, not merely from the Number of his Victories, his Conquests, or the Extent of his Kingdom, which was very small; but by his Wisdom, his excellent Administration, his Riches, and the great Number of Cities he founded. For I do not consider as a Conquest his taking Possession of Red Russia in the Name of his Nephew the Duke of Oppeln, then very young, who was the Son of the last Heiress of the reigning Line of the Dukes of Russia. His Successor Lewis was very desirous of annexing this Province to Hungary: He even entered into a Negotiation for that Purpose with the Duke of Oppeln, to whom he agreed to give other Territories in Exchange, together with the Title of Viceroy of Poland. But after the Death of Lewis, the Affairs of this Kingdom took on a sudden a different Turn: Jagellon married the Daughter of Lewis, in consequence of which, Lithuania, White Russia, Podlachia, Volhinia, and Podolia, Provinces in his Possession, were annexed to Poland. Immediately after his Marriage, he likewise made himself Master of Red Russia, and drove from thence the Duke of Oppeln. The Kingdom was at that time increased

to thrice its former Extent ; and it is evident, that the Greeks (or those Provinces which had been newly united to Poland, all of whom were of the Greek Church) may very justly claim as their Right Three Parts in Four of the Conquests which have been since made. The Successors of Jagellon aggrandized the Kingdom still more by the Conquest of Prussia, Livonia, Courland, Walachia, Moldavia, and the Ukraine. The three last-mentioned Provinces also professed the Greek Religion ; so that we may affirm, that from the Time of Jagellon to Sigismund (when the Reformation took place) Three Fourths of Poland were undoubtedly Greeks.

With respect to Jagellon, I cannot help taking Notice of a Law which he passed against the Bohemian Hussites, who were declared Heretics by the Council of Constance. They had vehemently opposed their Emperor Sigismund. Jagellon, who was his Brother-in-law, furnished him with Money and Troops to act against them ; and a Polish Bishop was principally instrumental in causing John Hus to be burnt. The Hussites, in Revenge, made frequent Incursions into Poland, and put all to Fire and Sword. This Observation is alone sufficient to refute the Error of a Polish Prelate \*, who lately quoted this Law of Jagellon in a publick Harangue, as though it proscribed the Dissidents of Poland ; for both the Protestants and Greeks are at present comprehended under the Name of Dissidents. Now the

\* The Prince Bishop of Cracow, in his Speech at the Diet of Warsaw on the 11th of October 1766, printed in Polish.

former did not begin to exist till a hundred Years after Jagellon, and it had been ridiculous to proscribe those who were not then in being. As for the Greeks, they constituted the major Part of his Subjects ; and it would have been equally absurd to exterminate Three Fourths of the Nation for the Sake of gratifying the remaining One.

During the Reigns both of Sigismund I. and Sigismund Augustus, the Reformed and Lutherans, who were alike comprised under the common Name of Protestants or Gospellers, multiplied exceedingly in Poland. Prussia, Livonia, Courland, the Lesser and Greater Poland, as well as Lithuania, and almost all the Grandees and Nobles embraced Protestantism. Only the Clergy and a small Number of the Nobility remained attached to the Court of Rome ; insomuch that at the Death of Sigismund Augustus, there could scarce be found One Catholic to Seven of the other Persuasion in the whole Kingdom.

On the Death of this King, the Nation assumed the Form of a Republic. He was the last *Dominus & Hæres*, Lord and Heir. All the Laws enacted before this Time, became so by the sovereign Authority of the Kings, cum Consilio tamen Baronum (with the Advice and Consent of the Grandees). His Grandfather, Casimir III. was the first who convened the Nobility, in order to oblige them to accept the new Impositions. Sigismund I. and his Father used the same Method ; but after his Death the whole legislative Authority fell into the Hands of the Nobility.

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The Grand Marshal Firley, who was a Protestant, assembled the First Diet of the Republic in 1573. The Peace betwixt the Greeks, Protestants, and Catholics was therein established, as a fundamental Law of the Republic. The Wars in Germany under Charles V. and in France under Catherine de Medicis, made them sensible of the Necessity they were under of tolerating each other. The Catholics were by far the weakest, and thought themselves extremely happy in the Concession made to them, that the ecclesiastical Property and Revenues of Catholics should be given to none but such, as those appertaining to the Greeks were to be bestowed on Greeks only. They promised to each other mutual Defence and Affection, and that a Difference in Religion should never prove the Cause of civil Diffension, unanimously resolving to make an Example of that Person, who under such a Pretence should excite fresh Disturbances.

As this Law has been repeated in all the public Acts, Constitutions, and *Pacta Conventa* from that Time to the present, the Catholics cannot but allow that it is a fundamental one. I defy them to produce any other Law, whose Sanction has been more solemnly, more constantly, and more frequently repeated than this; for when they even gained the Superiority after the Death of Sigismund III. they never presumed notwithstanding openly to contradict it, though they intended in some Measure to infringe it by placing under their Signatures, *Salvis iuribus Ecclesiae Romanae Catholicæ*, saving the Rights of the Roman Catholic Church; which was a mental Reservation, signifying, that the Pretensions

tensions of the Pope were sufficient to invalidate every Law that displeased him. Wherefore the Dissidents, by way of Reprisal, wrote beneath their Signatures, *Salva Pace inter Diffidentes* : Saving the Peace amongst the Dissidents.

In the Infancy of the Republic, the Word  
*Dissidents* comprehended the Greeks, Catholics,  
 Reformed, and Lutherans. The Words of the  
 Constitution 1573 are : *Nos qui sumus Diffidentes in  
 Religione*, i. e. We who differ in religious Matters.  
 The Arians were excluded under John Casimir.  
 As soon as the Catholics perceived they were  
 the strongest Party, they affected to separate  
 themselves from the rest of the Dissidents ; they  
 called theirs the Established Religion, and that  
 of the others authorized ; afterwards, not au-  
 thorized, but only tolerated ; and they have  
 now carried the Matter so far as to maintain that  
 they are not even tolerated.

The Superiority of the Dissidents lasted till  
 the Death of Sigismund III. During this long  
 Series of Years there have been ordinary and  
 extraordinary, free and confederate Diets ; and it  
 appears by the Constitutions, that the Equality  
 of the Dissidents in all respects with the Catho-  
 liccs has always been considered as a fundamental  
 Article ; but the Prelate above-mentioned assures  
 us, that every thing we meet with in the Constitu-  
 tions in Favour of the Dissidents was extorted  
 by Force in tumultuous Assemblies.

However he has nothing to oppose to us, but  
 the Confederacies of 1717 and 1733, which were  
 certainly the most tumultuous of all, being held  
 at

at the Commencement of the Wars that followed. The Article which enjoins Peace among the Dissidents was signed by all the Catholics then present, and so are also the continual Repetitions of it in all the *Paæta Conventa*, and in the same Terms, to the Death of the late King; whereas the Confederacies of 1717 and 1733 are not signed by the Dissidents, who were expelled from thence by Force. Such is the Difference betwixt a long-established Law, which has been constantly ratified by the *Liberum Veto*; and a Law made Sword in Hand, which was never confirmed by unanimous Consent.

This Prelate exerts his utmost Efforts to find even the Shadow of a Law against the Dissidents, and has not been able to discover any of a more ancient Date than 1632; viz. 100 Years after the Establishment of the Protestant Religion, and 800 Years after that of the Greeks. It is there expressed, *In Urbibus regiis, ubi in præsenti Diffidentes in Ecclesiis a se erectis publico gaudent Religionis Exercitio, eodem in posterum quoque, perinde ac nunc, gaudere & uti poterint. Ubi vero Ecclesiæ in præsenti ad eum Usum erectas non habent; eas ad evitandos Tumultus, ibidem erigere non debebunt.* This Law authorizes the Continuance of the Churches of the Dissidents, that had been erected in the royal Cities; but, in order to prevent Tumults, prohibits the building of new. The specious Pretext concerning Tumults \*, and the Restriction with regard to  
regal

\* The Roman Catholics burnt and demolished several Protestant Churches in the royal Cities; viz. at Cracow, Wilna, Posnania, Lublin, &c. A Law was made in the

regal Cities only, caused the Matter at that time to take Effect, though not without great Opposition. But what can the Prelate infer from this Law? At most he can only assert, that the Constitutions of the Year 1632 are final with regard to the Dissidents; and I imagine that they will desire nothing better. As to the Law he so largely insists on, which was made by the Duke of Mazovia against the Lutherans, he can draw no Consequences from it; because in strict Propriety it respects that Province only; and besides, the Situation of Things with relation to this Duchy must have been entirely changed, since it was incorporated with the rest of the Kingdom.

The Law of 1632 was re-assumed in the Confederacies of 1648, 1688, 1674, 1696, and 1717. Till the Year 1696, it is plainly repeated almost verbatim, so that we may safely affirm, that there never were any Laws made against the Dissidents till the Year 1717: For that of 1632, with the Repetitions, is in One Respect to their Advantage, by confirming to them the Churches which were then erected. The Confederacy of 1717 was indeed of a contrary Opinion: But the Stile of its Fourth Article is so confused, that it is impossible to understand it. The Diet sat no longer in the whole than till they read the Constitutions

Diet of 1631 against Persons who should thus disturb the public Tranquility. This Law was confirmed at the Diet held in 1632, wherein the Dissidents, in order to prevent the Tumults excited by the Romish Populace, came to a Resolution not to erect any new Churches in the royal Cities.

compiled by the Bishop Szaniawski, which was Seven Hours\*.

The Fourth Article maintains, or seems to do so, that the Law of 1632, which was renewed in 1648, 1668, 1674, and 1696, restrains the Dissidents from all publick Exercise of their Religion; which is an Assertion that destroys itself, and falls by its own Weight.

He afterwards affirms, that the Confederacy re-enacted this Law; and that, in order to remedy the Abuses which had been introduced during the late War, it ordained, that all the Churches which had been built during that Time should be demolished (though by the way there was only one such, and that the Swedes had erected at Posnania for the Use of their Garrison); and lastly, that the Dissidents should not assemble at their Devotions, except in a private Manner in their own Houses, without either singing Psalms or Preaching.

It may well be imagined, that such a Law as this must greatly alarm the Dissidents: Even the Catholics themselves were not a little disgusted at it. The Confederacies of Great Poland and Lithuania particularly made strenuous Remonstrances against it.

\* It is remarkable, that the Primate himself was not permitted to speak. This induced him to quit the Diet, saying to the King: Sire, I am injuriously treated." The Protestants who were Nunicos declared against this Article with great Freedom; and it is well known how zealously Mr. Zlotnicki Unruk Wolk, and others did so likewise.

At the Treaty of Peace in 1718, the States required this Article to be expunged; but Szaniawski maintained that it did not in the least derogate from the Rights of the Dissidents, and that it related only to the Abuses introduced during the late War. Upon this Account the Diet unanimously passed a Law under the Title of "An Explanation of the Fourth Article," in which are contained these Words: *Dissidentes circa antiqua Jura & Privilegia conservamus; abusus vero, prævio Processu solito in Foro Lege veteri praescripto, tolluntur.* The King, on his Part, issued a Declaration to the like Effect, setting forth, that this Law did not in any Degree tend to prejudice the Rights of the Dissidents established by the General Confederacies, and sworn to be maintained by him and his Predecessors in the *Pacta Conventa*. These Two Explanations, signed by the King, and by Leduchowski, Marshal of the Diet, should naturally be subjoined to the Constitution of 1718; but they are suppressed, although they ought to be preserved in the Archives\*.

From this Account it is obvious, that the Constitution of 1718, when fairly interpreted, does not in any Degree alter the Condition of the Dissidents, but allows them the same Privileges they enjoyed in the Year 1632, keeping still to the Limits which the Republic then prescribed them: But it has nevertheless furnished a Pretence for the most horrid Persecutions.

In the Year 1733 the Law of 1632 was re-enacted, with all the Repetitions, and even that

\* *Jura et Libertates Dissidentium*, p. 71. Docum. XI. XII.  
of

of 1717. They added to it the Article of Exclusion from all Offices : This was done after they had forcibly expelled the Dissident Nuncios from the Assembly. Augustus III. swore to keep Peace with the Dissidents ; but this was the First time they added the Words, *Ad Norman Constitutionis 1717*, and the Exclusion from Offices. This is a remarkable Contradiction ; for if the Constitution of 1717 forbids the Dissidents the Exercise of their Religion, as the Priests explain it ; and if they are excluded from Offices thereby, I should be glad to be informed what the King swears when he uses the Words, *Pax inter Diffidentes* ; for when they are deprived of the Exercise of their Religion, and are debarred from holding Offices, they have nothing left them but their Lives and Estates : Does the King then swear that he will neither plunder nor murder his Dissident Subjects ?

It may be asked, Why the Dissidents, who were well apprised of the tyrannical Disposition of the Romish Clergy, did not better provide for their own Safety at a time when they were so greatly superior to them in Power ? I answer, that they confided too much in their Strength and Numbers, supposing it to be highly improbable, that an Eighth Part of the Kingdom should ever be able to prevail over the other Seven : Besides, the Catholic Clergy were at that time very mild in their Behaviour, and it was hoped that they would have come over to Protestantism ; and lastly, the Greek and Protestant Religions do not allow of Conversions by Force or Fraud, and they abhor Persecution.

After the Death of King Sigismund Augustus many were inclined to chuse Szafraniec for King, who was a Protestant ; but the Interest of the Princess Anne, Sister of the deceased King, prevailed. She considered herself as Heiress of the Crown, and the Examples of Lewis and Jagellon, besides the Gratitude due to her Brother and Father, induced the Nation to resolve upon the Choice of a King, who would consent to become her Husband. Henry de Valois did not keep his Promise. Stephen Bathori therefore was chosen ; and he changed his Religion, because the Princess would not consent to marry a Protestant, and without her Assistance his Party would have been too weak against Maximilian. This Queen was at that time the sole Support of the Catholic Religion, to which she did eminent Service, by causing the Jesuits to educate and train to their own Designs her Nephew Sigismund of Sweden, whom she had Influence enough to get elected King after the Death of her Husband, and to support him against Maximilian.

Sigismund III. was wholly intent on converting ; and, what is almost inseparable from it, on persecuting. As he was always surrounded by his Preceptors, and hearkened altogether to their Counsel, the Affairs of the Kingdom were utterly neglected. The Catholics as well as the Protestants, and even his Protector the great Zamoyski, who had placed him on the Throne, were highly displeased at it, and bitterly reproached him in public for his Conduct \* : Matters

\* A Roman Catholic Bishop has given us the following Description of Sigismund III. Sub finem ejusdem anni 1610 deceaserat

ters were carried to such a Pitch, that One Part of the Nation, with Zebrzydowski at their Head, were just on the Point of dethroning him. The Conversion of a Dissident, the Getting rid of a Dissident Church, the Founding of an additional College of Jesuits, were more prized by him than the gaining of a Victory. He assisted in Person at the Demolition of a Protestant Church at Cracow. He was the Inventor of the new Contrivance of an united Greek Religion, which has since served as a Pretext for persecuting and destroying the Greeks. He filled the Provinces with Jesuits, who, appropriating to themselves by Degrees the Education of Youth, and teaching them nothing but bad Latin, and a furious and unbounded Zeal for the Court of Rome, thus formed the bad Manners of the 17th Century. It is evident that these Contrivances must have considerably changed the State of the Dissidents during a Reign of Fifty Years. With Preferments to bestow in one hand and Prosecutions to threa-

decesserat quoque cubiculi regii præfetus, Andreas Bobola, ologenarius, homo rufus, morosus, promotus ad illud officium patrocinio Societatis Iesu, quod illis in omnibus consentiret. Unde utriusque conjuncta opera in privatis colloquiis, quæ ipsis semper patebant, solicitantes Regem adeo constrainxerant, ut omnia ipsorum consiliis ageret, et Aulicorum spes et curæ non nisi ab eorum favore penderent: quin et in publicis negotiis illi suggerebant quid Rex decerneret, tanto majori Reipublicæ periculo, quod ad hujusmodi familiaritatem Regis assuebantur personæ (præsertim confessor et concionator) à scholis vel à magisterio novitiorum religiosorum, rerum et status politiæ prorsus expertes: hæcque causa unica fuit errorum non in domesticis solum, sed et in publicis, ut Moschicis, Suecicis, Livonicisque Regis rationibus, et tamen pene sacrilegii crimen reputabatur, si quis eorum dicta factaque reprehendisset, et nemini, qui non ipsis applauderet, facilius ad dignitates aditus patebat. *Piajæcii Chronicon*, p. 299, 300.

ten in the other, it is not possible to fail of making Proselytes. Six Greek Prelates declared for the Union in 1595. Both Priests and People were compelled by Degrees to follow the Example of their Bishops. Such a Conduct as this could not but be attended with Insurrections. Sigismund lost the Crown of Sweden, and shortly afterwards Livonia, Walachia, and Moldavia : The great Revolt of the Cossacks was concerted ; and the Dissidents entered into a Confederacy at Wilna in the Year 1599 \*. Both Greeks and Protestants engaged thereby to repel by Force the Persecutions of the Catholics and the new-united Greeks ; they appointed Noblemen in each Province, to whom they might have Recourse in case of fresh Attempts on the Part of the Catholics ; and the Noblemen were obliged to oppose these Attempts by Force of Arms.

By Means like these the rapid Conversions of Sigismund were retarded : He found himself obliged to desist from open Violence, and instead thereof to employ Artifice only ; notwithstanding which, the Number of Dissidents continued to decrease daily. Every Gentleman who embraced the Catholic Faith immediately demolished all the Churches of the Dissidents that were built on his Estates ; the Tradesmen that were settled there dispersed themselves, and the Peasants were converted without the least Difficulty. If the Priest or any of the Vassals happened to be first converted, he was sure to be countenanced and supported by the Catholics against his Lord, who was compelled at length by Dint of a Variety of Chicanery, either to em-

\* It is printed at the End of a Pamphlet, intituled, *Fundamenta Liberæ Religionis in Polonia*, 1764. Folio. brace

brace Popery or dispose of his Estate. In the Estates belonging to the Crown they proceeded by a still shorter Method to obtain their Ends. In this Manner the Dissidents lost during the Time of Sigismund upwards of an hundred Churches; and the Catholics increased to that Degree, that from Five only, who were Members of the Senate at the Beginning of his Reign, at the Conclusion of it they amounted to Three Parts of the whole Assembly.

Wadislas IV. did not persecute the Dissidents. He caused the *Colloquium Charitativum* to be held at Thorn, with a View to unite the Catholics and Protestants; but he did not shew the same Indulgence to the Greeks. The Flames of the Cossack Rebellion, which had for a long time been lurking under the Embers, at length broke out, and the Polanders paid dearly for their intolerant Spirit.

John Casimir had no Affection for the Dissidents; but having Occasion for their Assistance, he protected them from Motives of Interest. The City of Dantzick alone maintained Ten thousand Men in his Service against the Swedes. Though it was endeavoured at the Treaty of Oliva to deprive the Swedes of every Pretence for re-entering Poland, we nevertheless find by Article II. "That all the Subjects of the Kingdom of Poland, of what Condition or Religion soever, were to enjoy for the future all the Rights and Privileges, as well temporal as spiritual, which they had enjoyed before the War," with this Addition, "secundum Leges Regni." But the *Leges Regni* of that Period not only authorized

thorized the several Religions of the Dissidents, but likewise placed them upon an equal Footing with the Catholic. In this Reign the Arians were pronounced Heretics, and banished the Kingdom; but it was at the same time declared, that this had not the least Reference to the Dissidents, and they were assured in the most solemn Manner, that they should for the time to come be continued in the Enjoyment of all their Rights, Employments, and Honours as before. This Law of 1661 is extant amongst the Originals; but the Compiler of the *Volumina Legum* has suppressed it. The Arians were charged with Blasphemy; and it was ordained, that all Prosecutions against them should be decided by the several Courts before any others, as being the Cause of God.

During the Reigns of the Saxon Princes, the Clergy again applied this Law to the Dissidents, contrary to the express Tenor of the Constitutions of 1661, and 1685; and to this very Time the Trials of the Dissidents are determined *ex Registro Arianismi*; but a Cause of this Kind is branded with the Epithet of “abominable;” so that no one will venture to espouse the Part of a Person accused under this Title.

John III. openly protected the Dissidents as often as the Zeal of the Catholics was exerted in too flagrant a Manner; notwithstanding which their Number and Power diminished more and more, and they were no longer admitted into the Senate. The Greeks were still protected by the Czars John and Peter, and the Republic promised by the Treaty of Hadziacz to re-establish

blish them in their ancient Rights, and to curb the United Greeks; but the Promise was without Effect.

Augustus III. affected to appear a zealous Catholic; and so far was he from admitting the Dissidents into the Senate, though he was authorized so to do by the *Paetia Conventa*, that he conferred no Office of Importance upon them. In 1704, Four Greek Bishops united themselves to the Church of Rome, and the greatest Part of their Dioceses were constrained by numberless Vexations to follow the Example of the Pastors. Peter I. exclaimed loudly against it, nevertheless the Affair was but slightly mentioned in the Treaty of 1710, and it has been observed above what the Pacification of 1718 ordained with respect to the Dissidents.

Peter I. was greatly incensed at these Proceedings, and complained loudly against them. This Matter led the Two Courts into a long and a very warm Altercation, in which even Menaces were not spared. In one of the Letters, dated *August 6, 1724*, the Emperor thus expresses himself : “ That being Mediator and Guarantee “ of this Pacification, he would never suffer it “ to be misinterpreted into a Pretence for per-“ secuting the Dissidents and invading their Pri-“ vileges.” In the Midst of these Disputes the Tragedy of Thorn was acted, which irritated this Monarch to such a Degree, that he sent an Army of 30,000 Men into Lithuania, and nothing but his Death put a Stop to the War soon after its Commencement. It has always been a Maxim of sound Politics, to protect the weakest

Side against the strongest. This the Kings of Poland had hitherto always observed with regard to the Dissidents : But the Two Saxon Kings took an opposite Course ; their only Aim was to attach the Clergy to their Interest, thinking by that means to strengthen their Authority, and obtain a firm Footing in Poland. They undertook nothing without the Intervention and Advice of Priests, sacrificing every thing to their Humour ; and the Dissidents were above all abandoned to their Mercy. They avoided with the utmost Caution the very Appearance of affording them Protection ; all they did in their Favour amounted to a bare Promise to confer Offices on their Persecutors, in order to mitigate their Resentment ; but the Authority of the Law or of the King was never exerted in their Behalf. The Event however has shewn that their Policy was not the best adapted to answer the Purposes intended by it.

In the mean time the Power of the Clergy increased to an enormous Extent ; and a Nation which stiles itself free with respect to its Kings, cannot affirm that it is so with respect to its Priests ; every one trembles before them ; the most inconsiderable Parish Minister is become formidable to his Lord ; he obliges him to pay the Church Dues in what Manner he pleases, the least Opposition being punished by Anathemas or Citations before the Confistories and Tribunals, where the Clergy are always Masters ; and the Dissidents have given them a specious Pretext for their Acquisition of this Power. From the Time that the Clergy assumed the Power of explaining and carrying into Execution the Constitution

stitution of 1717, they have refused the Dissidents the Liberty even of repairing their Churches, and much more of rebuilding them : They have deprived them of their Bells, Towers, and Schools; and if they still suffer any Churches to exist, it is only that they may have an Opportunity of plundering them for a longer Time. They prohibit Baptisms, Marriages, and Burials in Dissident Churches ; they annul all such Marriages, and declare the Children Bastards ; they take the Children from their Parents, and place them in Convents ; they force People to come to Mass, and assist at Processions ; convert by Torture those whose Ancestors were Catholics ; they intrude by Force into the Presence of dying Persons in order to convert them, whether with or without their Consent ; they disturb Funeral Processions, beat and abuse the Priests, and drag the dead Bodies about the Streets ; they even dig them out of their Graves, and throw them to the Dogs. They harass the Dissidents by every possible Method, spoil them of their Goods, and frequently put them to Death ; they deny them common Justice, declaring that Heretics, a Title they always give the Dissidents, have forfeited all the Privileges of Society. In publick Harangues, as well Ecclesiastical as Civil, they load them with abusive Language, and charge them with the most heinous Crimes ; declare those to be Favourers of Heretics who presume to disapprove of this Conduct, and prosecute them *ex Registro Arianismi* before the Tribunals. All these Grievances continue without Remedy to this Day ; and what aggravates the Misfortune is, that the Prescription of Half a Century has converted them into a Kind of Law.

I now return to the Constitution of 1733, which is very little short of a direct Breach of the Peace with the Dissidents. It prohibits them the total Exercise of their Religion, excludes them from holding Offices, and pronounces *Pænam Perduellionis* (the Punishment due to High Treason) against any who shall implore the Intercession of foreign Powers in their Favour. A strange Law this, which forgets the Regard due to the Treaties made with these very Powers; which guaranty the Rights of the Dissidents equally with those of the Catholicks. But it is inconceivable how, in the Peace of 1736, the Confirmation of this Law could escape the Vigilance of the Mediators, it being so contrary to the Intentions and Interests of Russia.

In the *Paæta Conventa* of Augustus III. under the Article which confirms the Rights of the United Greeks, they have not condescended to make the least Mention of the other Greeks, as though there were then no such People in being: and accordingly all the Dissidents were persecuted during this Reign in like Manner as in the preceding.

In the Confederacy of 1764, the Dissidents employed their utmost Efforts to be re-instated in their Rights, and the greatest Part of the Nuncios had Instructions to act in their Favour: But it is universally known by what an outrageous Clamour the Clergy not only procured their Demands to be rejected, but also caused this *consolatory* Law to be passed: " We *only* guaranty " to them the Security of their Persons and " present Possessions; but if they attempt to " obtain

" obtain any thing farther, they are to be severely punished for it, *ad instantiam cujuscunque.*" Can any Thing less than this be garantied to Turks or Tartars ? I do not mention the Jews on this Occasion, because they have all the Liberty that they desire.

I have given above some Account of the Persecutions which a false Interpretation of the Constitution of 1717 has occasioned for the Space of Half a Century, But what a terrible Interpretation may the Clergy give to this last-mentioned Law ? And what a dreadful Fate awaits the Dissidents !

The Fact is, that all the Severity of these Laws is insufficient to satisfy the Appetite of the Clergy for Persecution. They seem desirous of having full Liberty granted them to extirpate the Dissidents at their Pleasure, by Force of Arms. In the present Diet, the Assembly resounds with nothing but their Clamours, they require with the most inveterate Rage the passing in the first Place of a *very* Christian Law ; " To punish with Death, Confiscation of Goods, and Infamy to him and his Posterity, every Person, howsoever distinguished, who for the future shall presume to speak in Favour of the Dissidents \*." They are not therefore to be allowed even the wretched Consolation of uttering their Cries and Complaints when they are devoted to Destruction ; nay, a humane and compassionate Catholick, when affected by the Tears and Groans of these unfortunate People, must stifle the Voice of Nature speaking in their Favour, or risque

\* The Bishop of Cracow, in his Speech at the Diet 1765.

the Loss of his Fortune, his Life, his Honour, and that of all his Family, if he undertakes to implore for them the Succour due from their common Country.

We may now compute One Half of the Kingdom to be Catholicks, with all the Grandees and most of the Nobles ; One Sixth Part of the Remainder to be United Greeks ; the same Number of Disunited Greeks, with the Addition of a few Nobles ; and the remaining Sixth to be Protestants, with about 200 noble Families, exclusive of Courland. Of all the Greek Ecclesiastical Benefices, there only remains the See of Mohilow, the Bishop of which has lately \*, in a Latin Oration, represented to the King the cruel Persecutions inflicted on his Flock.

It is not at all to be wondered at that the Dissidents are reduced to such a small Number. The Laws always favour those Subjects who profess the National Religion ; and the Allurement of Offices must in all Probability, sooner or later, induce the whole Kingdom to embrace that of the Sovereign. But it is altogether unworthy of Humanity to endeavour to hasten this Period by Cruelties, by the Repeal of fundamental Laws, and by unfair Interpretations of Constitutions expressly made to be understood in a double Sense. The Liberty of the Nobles is solely founded on the Laws, and on the Guarantees which the Powers interested in the then Form of Government have given to those Laws. The bare Appearance of an Attempt to infringe

\* July the 27th, 1765.

these would of course alarm the whole Nation. But is it not also true that the Dissidents are protected by the same Laws and the same Guarantees?

To sum up all, What are the Crimes by which the Dissidents have merited all this rigorous Treatment? Have they ever entered into a Conspiracy against the State? Have they ever joined the public Enemies of the Kingdom? Have they ever proved unfaithful or disobedient either to the King or the Law? Have they ever done any Injury to the Catholicks, when it has been in their Power to do so? Were not the Ancestors of the present Nobility, who laid the Foundation of the Republic, Dissidents? Were not Chodkiewicz the Conqueror of the Swedes, Russians, and Turks under Sigismund III. and Radzivil of the Cossacks under John Casimir, both Dissidents? Did not the City of Dantzick support John Casimir against Charles Augustus who was brought into Poland by the Vice-Chancellor Radziejowski, a Catholick? Was not the City of Thorn destroyed by Charles XII. who was invited by the Cardinal Primate to come and dethrone Augustus II.? And, lastly, were not the Legislators, or rather the Confederacy of 1733, Spectators of the Efforts exerted by the Dantzickers against the Russians when invited thither by the Bishops Lipski and Hosius?

